

**LETC comments on Amendment 36B
From the October 17, 2018, GSMFC meeting in South Padre Island, TX**

The Law Enforcement Technical Committee/GSMFC Law Enforcement Committee's joint meeting summary from its October 2018 meeting was provided to the Council at its October 2018 meeting. This summary provides the LETC's comments on Amendment 36B.

Commercial IFQ Program Modifications: Advance Landing Notification Issue

Lasseter reviewed the actions in Amendment 36B and the LETC did not feel Actions 1-3 raised enforcement concerns. The LETC discussed the action for requiring a degree of accuracy for advance landing notifications and provided the following consensus statement:

The LETC recommends to the Council in Action 4 for advance landing notifications, that notifications be accurate to within 20% of actual landed weight for vessels landing over 500 lbs (in any share category). The LETC feels that fishermen can be accurate to within 10% of 100 lbs, and wouldn't accept any less accuracy from the dealer to whom they are selling. Going with a 20% accuracy requirement allows some leeway for errors in reporting while allowing for more accountability.

Although the requirement to include a weight estimate during advance landing notifications of IFQ species was not intended to expose fishermen to violations based on the accuracy of their estimation, the lack of necessity for accurate weights on the advanced landing notification has been exploited by some fishermen to under report actual catch weights.

Requiring more accurate estimates of weights on the advance landing notification would benefit management of the fishery, as the LETC has seen abuse in the system and wants to minimize the level of under reporting. This would provide a management tool to close a gap that allows for fraud in the management of the resource. While the majority provide accurate estimates, there are no repercussions for the minority that don't; those who don't are able to avoid having the allocation deducted from their account which could then be used again, may sell the fish on the black market, and avoid paying the lease fee and cost recovery. This creates instability in the market from unaccounted fish being sold illegally. The LETC believes that this proposed regulation and potential for penalty would increase self-compliance within the industry.

In the case of red snapper, this would benefit management of the species as any unreported catch could cause you to exceed the total allowable catch, slowing the recovery of the stock.

As an example, in one state, there have been consistent occurrences of a fisherman who is also the dealer reporting 500 lbs in both the advance notification and notification of landing (dealer report). However, when this same fisherman/dealer is inspected during offloading, the actual landed weight is routinely 1,500 lbs. Had the officer not been present for offloading, 1,000 lbs could go straight to a restaurant or unpermitted dealer, bypassing reporting measures and avoiding the allocation being deducted from the IFQ system.